

Overpayment for maintenance or special expenses (includes any service under contract or with prior authorization) may occur for any number of reasons. **Recoupment must occur and must be made using this procedure.**

NOTE: It is important to update/close the SS-61 promptly and consistent with the terms of the Adoption Subsidy Agreement (CS-SA-2). It is also important to conduct the annual reviews consistent with the dates they are due; i.e., at least once during the current fiscal year and prior to the expiration of a year from the last date of the Director's signature on the agreement. Such action will aid in avoiding use of this procedure.

A) Reasons overpayment may occur:

1. Adoptive parents have not properly notified the Division of changes in their or the eligible child's circumstances;
2. Child is no longer eligible because of age or is no longer the legal responsibility of the adoptive parent(s);

NOTE: If it becomes necessary to make another plan for the child (away from the adoptive parent(s) home), it is not necessary to transfer custody from the adoptive parent(s) to the Children's Division. Payment for certain services may continue because the parent(s) retains legal rights, obligations, and duties as parent(s). Transfer of custody to another person or agency does not terminate the adoptive parent(s) legal responsibility for the child if the adoption decree has been granted and the child has not reached majority age. It will be necessary to renegotiate the adoption subsidy agreement if payment for any services needs to be arranged.

3. Adoptive parent(s) have received payment for services authorized in the agreement (includes the attachment), which have not been obtained;
4. Adoptive parent(s) received payment for services which did not have prior authorization; i.e., services were not authorized in the agreement (CS-SA-2);
5. A contracted provider received payment for services not delivered.

NOTE: If payment was made directly to a contracted provider, repayment will be secured from the provider. Use the debiting procedure described in Section 4, Chapter 11, Attachment E, Overpayment of Maintenance. Contact the Payment Unit to initiate the debiting procedure.

B) Procedure for repayment from adoptive parent(s).

1. Notify adoptive parent(s), in writing, that an overpayment has been made. Include, in the notification, the amount of the overpayment, the time period of the overpayment, and the service(s) for which overpayment has been made. Also, include a request that the adoptive parent(s) contact the worker to discuss the matter to arrive at a plan for repaying the Division for any overpayments.
2. Arrange a repayment plan with the adoptive parent(s); obtain supervisory approval; and confirm the repayment plan in writing.
3. Repayment process:
 - a) Contact the Payment Unit in Central Office to initiate this debiting process;
 - b) If it appears that the adoptive parents will continue to receive payment for some type of service, use the debiting process described in Section 4, Chapter 11, Attachment E; or,
 - c) If the adoptive parent(s) will no longer receive a payment, they are to pay the agreed upon amount via check or money order, addressing it to "Missouri Children's Division". The adoptive parent gives the check or money order to their worker. The worker is to print out the ZPAY screen, highlight the amount of the overpayment, and send the check or money order and the ZPAY printout to the Payment Unit. The payment unit will then, send the payment to Budget and Finance.

<p>NOTE: Notify adoptive parent(s) in writing, as necessary, when payment has not been made according to the repayment plan. Use the procedure in Item E if the adoptive parent(s) fails to make payment.</p>

C) Procedure for repayment from a contracted provider:

1. Notify contracted provider of overpayment using the CS-65 instructions; and,
2. Initiate contact with the Payment Unit to debit the contracted provider.

D) Procedure for repayment from a non-contracted provider:

Since payment to the provider was initially the responsibility of the adoptive parents, repayment will be secured from the adoptive parents. Use the

procedures under "B" for obtaining repayment. Providers who indicate to the Division that they have not been paid, when Division records indicate payment for a service has been made, should be directed to the adoptive parent(s). The worker should also make immediate referral to Welfare Investigation Unit (WIU) to initiate action for repayment.

E) Procedure for any refusal to repay. If the adoptive parent(s) refuse to make repayment, the following steps must be taken:

1. Confirm refusal in writing;
2. Inform Circuit Manager of refusal and the amount due as repayment to the Division;
3. Circuit Manager shall write to the adoptive parent(s) identifying the repayment due the Division and request payment within 30 days from the date of the letter; and,
4. If payment is not received within 30 days, refer to WIU via the DOI-1 with notification to the area director that such action has occurred.

F) Referral to WIU:

1. Send DOI-1 to the appropriate WIU regional office; and,
2. Cooperate with WIU and update record in a timely manner.

NOTE: Once the DOI-1 is sent, the matter of reimbursement to the Division is a WIU issue. Children's Division staff shall not accept payments from adoptive parent(s) or other providers at this time as the WIU case will be jeopardized.

When WIU contracts with the adoptive parent(s) or other providers for restitution payments, the adoptive parent(s) is eligible for subsequent adoption subsidy payments only if restitution payments are being made or have been made.

WIU will send a DOI-6 to the referring county to establish the status of the case. Contact may be made with WIU for information regarding repayment.